MINUTES MEETING OF THE LA PORTE COUNTY COUNCIL July 25th, 2022 at 6:00PM

A regular meeting of the La Porte County Council was held on July 25th, 2022 at 6:00pm (central time) in the Assembly Room of the La Porte County Government Complex located at 809 State Street, La Porte, Indiana, 46350.

CALL TO ORDER

The meeting was called to order at 6pm by the Council President, Randy Novak.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Novak, followed by a moment of silence for EMS Administrator Andrew McGuire's mother.

ROLL CALL

Mr. Novak, Mr. Cunningham, Mr. Yagełski, Mr. Rosenbaum, Mr. Mollenhauer, Mr. Garner, and Mrs. Gramarossa were all physically present for the meeting.

APPROVAL OF JULY 25th, 2022 AGENDA

Mr. Rosenbaum requested to add two new items under New Business: Item No. 3, La Porte County Clerk – Clerk position in Michigan City, and item No. 4, La Porte County IT – Motion of support for a 3-year insurance/protection policy.

- i. Motion to approve made by Mr. Rosenbaum and seconded by Mr. Mollenhauer.
- ii. All members voted in favor.

APPROVAL OF THE JUNE 27th, 2022 MEETING MINUTES

- i. Motion to approve made by Mrs. Gramarossa and seconded by Mr. Cunningham.
- ii. All members voted in favor.

PUBLIC COMMENT

Brett Kelly Sr., Michigan City

Mr. Kelly requested the development of a hiring ordinance, for La Porte County, so that the County could represent its demographics and minorities appropriately, and to address racial inequality in the County's representation. He explained that the inequality that La Porte experienced was akin to similar inequality across the United States, which cost the country roughly \$1.2 trillion annually. Mr. Kelly added that approximately 11%-12% of La Porte's population was black and 4% Hispanic, and expressed his hope for La Porte to take a stand for its underrepresented minorities so as to secure prosperity for them within the County.

Brett Kessler, La Porte County Agricultural Association Vice President

Mr. Kessier gave praise to the Council for the funding which had been approved for the fairgrounds repairs over the past three to four years, including updates to water, sewer, and electric repairs, as well as cosmetic repairs such as new paint and asphalt on the grounds.

Mr. Cunningham thanked Mr. Kessler for his appearance at the meeting and gave thanks for the performance of his and Commissioner Richard Mrozinski's recent radio broadcast. Mr. Novak additionally praised the cooperation of the FMEC, Agricultural Association, and County to ensure the fair had operated productively.

PUBLIC COMMENT OPEN FLOOR CLOSED.

DEPARTMENT HEAD REPORTS

Larry Levendowski, Facilities Director

Mr. Levendowski reported that he had received pricing for the repair of several building issues, one such issue being the two broken windows located on the third and fourth floor of the County's annex building. He noted that the order and wait time for the windows' repair would be roughly seven weeks, and he was hoping for a motion of support to move forward with the project while the wait time ensued. The other repair he received pricing for was for the chiller compressors located at the Community Corrections building, in which one chiller was entirely out of commission, and one was aging and in need of repair. Mr. Levendowski explained that to remove the chillers to make their repairs, a crane would be needed to lift them, and that securing a crane for one use to remove both chillers at one time would be more cost effective than acquiring a crane on two separate occasions to repair the chillers separately.

Mr. Levendowski added that the cost for the window repair was estimated by Meyer Glass & Mirror Company to be not-to-exceed \$20,000, while the cost to repair the chillers through D.A. Dodd would come in at under \$35,000. He reiterated his request for a motion of support for both items, with intent to receive approval for the items during the upcoming August Council meeting.

Mrs. Gramarossa asked Mr. Levendowski if one of the windows in need of repair had been broken a few months prior, which Mr. Levendowski confirmed that the Coroner's 3rd floor window had in fact been

broken for a few months. He added that he had been waiting for quotes for the windows' repair and could only recently approach the Council to begin the project. Mrs. Gramarossa noted concern that the advertisement of the repair was not congruent with how other departments advertised their requests, to which Mr. Levendowski offered to show the Council his correspondence with the aforementioned contractors. Mr. Novak added, if a motion of support was passed, Mr. Levendowski would return with a proper advertisement.

i. Motion of support for the repair of the two annex windows at the cost of not-to-exceed \$20,000 made by Mr. Garner and seconded by Mr. Mollenhauer.

Mr. Mollenhauer confirmed with Mr. Levendowski that not-to-exceed \$35,000 would be needed to repair the chillers at Community Corrections, which Mr. Levendowski confirmed, and added that he was waiting to hear back from additional vendors to obtain other rates for the repair. Mrs. Gramarossa reiterated her taking exception of the items being improperly advertised, which Mr. Novak contested and stated that the items were compliant.

ii. Six members voted in-favor (Mr. Novak, Mr. Cunningham, Mr. Yagelski, Mr. Rosenbaum, Mr. Mollenhauer, Mr. Garner) and one member voted not-in-favor (Mrs. Gramarossa).

- iii. Motion of support for the repair of the two Community Corrections chillers at the cost of not-to-exceed \$35,000 made by Mr. Mollenhauer and seconded by Mr. Rosenbaum.
- iv. All members voted in favor.

Jeremy Sobecki, Parks & Recreation Superintendent

Mr. Sobecki reported that the new playground at Bluhm County Park was nearing completion, with a blue ribbon cutting scheduled on August 13th at 10am, with prizes and games available for children. He thanked the Highway Department for their assistance with park projects, and Larry Levendowski and Doug Newland for their assistance with the parks' HVAC needs.

Mitch Bishop, County Planner

Mr. Bishop approached the Council to receive approval to apply for a Community Crossing grant, in which he would proceed with a commitment letter to pursue the application of the grant. While this item was put on the Appropriations, Transfers, and Requests portion of the agenda, the Council decided to vote on the topic at this time.

La Porte County Planning Director

Requesting Commitment letter support for Community Crossings Grant

- i. Motion to approve made by Mr. Yagelski and seconded by Mrs. Gramarossa.
- ii. All members voted in favor.

LIAISON REPORTS

Councilman Cunningham: Mr. Cunningham waived his liaison report.

Councilman Yagelski: Regarding a recently damaged AT&T line in the area and the subsequent loss of its power, Mr. Yagelski explained that a meeting was scheduled to address the problem and look into the line's backups and failsafe. He added that later in the meeting, the IT Department would be approaching the Council regarding a subscription to a 3-year anti-virus/cyber insurance contract.

Councilman Rosenbaum: Mr. Rosenbaum noted that he attended the County Fair and had a great experience and praised the youth who attended the event. He added that a Redevelopment Commission meeting was happening the upcoming Wednesday, and that he also attended a Rail and Maritime Conference. Additionally, he met with MS4 who assisted him at the La Porte County fairgrounds.

Councilman Garner: Mr. Garner praised County Attorney Shaw Friedman for his assistance during the FMEC's development.

Councilwoman Gramarossa: Mrs. Gramarossa spoke with all of her liaisons, and noted that the Coroner's broken office window had been addressed earlier in the meeting.

Councilman Mollenhauer: Mr. Mollenhauer gave praise to the attendees, affiliates, and helpers of the La Porte County Fair. He attended a Job Evaluation Committee meeting, and attended an interview for Human Resources candidates, with an executive session for the hiring of the position to be rescheduled. Additionally, he attended a Community Corrections Advisory Board meeting, and the Cop Cycling for Survivors event, which was held in honor of fallen officers. Mr. Mollenhauer gave a shout-out to retired La Porte County Sheriff's Office Captain Mike Kellems, who had been involved and volunteering with the event for ten years, and was set to retire from working the event.

Councilman Novak: Mr. Novak attended a Drug-Free Partnership meeting electronically via Zoom, an Animal Control board meeting, the Redevelopment Commission meeting, as well as the FMEC meeting. Mr. Novak praised the fair and efforts of the Fair Board, as well as the swift turnover of the fairgrounds once the event was finished.

CORRESPONDENCE

Auditor Stabosz reported that he had no correspondence. Mrs. Gramarossa noted that the Council, as well as an unnamed Judge for the County, had received a piece of correspondence, which Mr. Novak declined to read as the sender of the correspondence did not give their name, and that the piece of correspondence was accusatory. He noted that he had reached out to the Commission and Judge regarding the correspondence, and Mrs. Gramarossa recommended a follow-up to the correspondence at the next Council meeting.

ORDINANCES & RESOLUTIONS

There were no ordinances or resolutions.

NEW BUSINESS

- 1. Consider approval of the Council President's authorization to hire replacement positions for:
 - a. La Porte County Highway Department Operator Position
 - i. Motion to approve made by Mr. Rosenbaum and seconded by Mr. Cunningham.
 - ii. All members voted in favor.
 - b. La Porte County Community Corrections Residential Coordinator position
 - i. Motion to approve made by Mr. Mollenhauer and seconded by Mr. Rosenbaum.
 - ii. All members voted in favor.
 - c. La Porte County Clerk Clerk position in Michigan City
 - i. Motion to approve made by Mr. Rosenbaum and seconded by Mr. Mollenhauer.
 - ii. All members voted in favor.
- 2. La Porte County IT Motion of support for a 3-year insurance/protection policy
 - i. Motion to approve made by Mrs. Gramarossa and seconded by Mr. Cunningham.
 - Mr. Novak clarified that this contract was for a 3-year policy at the cost of \$90,000.
 - ii. All members voted in favor.

OLD BUSINESS

La Porte County E-911

Requesting Additional Appropriation from Riverboat (1191) or ARP (8950/8951) for:

1. Consoles, carpet, 24/7 chairs	\$472,676.90
2. Monitors/Keyboards/CPU's	\$37,808.15
3. Work Stations and monitoring/Phones	\$84,271.42
4. Chairs	\$4,362.50
5. Air Purifiers	\$4,716.00
6. DisplayPort Adaptors	\$1858.24

(Request was tabled from June 27th, 2022 Council Meeting)

i. Motion to take off the table made by Mrs. Gramarossa.

ii. No second was made for the motion, so the motion failed, and the item would remain tabled and slated for the August 22nd, 2022 Council meeting.

APPROPRIATIONS, TRANSFERS, AND REQUESTS

Criminal Justice Committee Chairman

Requesting Additional Appropriation from ARP (8950/8951) for:

Schedule visits for focus group to The DuSable Black History Museum and Education Center

\$4,000

Mrs. Gramarossa inquired as to why ARP funding was being utilized for the line item when ARP funds were generally utilized for displacement situations caused by Covid-19, and instead proposed that the Criminal Justice Committee receive \$4,000 annually out of Riverboat to ensure that the item is able to be funded every year. Mr. Cunningham answered that the proposed \$4,000 was seed money, and hopefully the Criminal Justice Committee would be able to approach the Michigan City Council in the future to receive funding from Riverboat, such as Mrs. Gramarossa proposed.

Chairman Rodney McCormick, representing the Criminal Justice Committee, approached the Council to inform them that he did in fact intend on approaching the Michigan City Mayor in addition to the Michigan City Council to ensure funding could be continuously provided for in the future. He added that Michigan City was experiencing an influx of crime, including crime that involved youths, and more funding would be needed to help combat the rise in this misconduct. Addressing the issue, he continued, would be the first step in the Council opening up lines of communication with Michigan City's Criminal Justice Committee, as well as its minorities.

Mr. Cunningham asked Mr. McCormick if it would be possible to bring some of the youths who attended the visit to the DuSable Black History Museum and Education Center to the Council so they could report on their impacts and discoveries from the visit. Mr. McCormick said he would investigate the possibility, in which he would first need to approach a committee to receive approval. Mr. McCormick added that the Criminal Justice Committee's doors were always open for visitation from the Council, and that communication ran both ways.

Mr. Rosenbaum added that, for the children who had visited DuSable and could not be brought to the Council to share the impact of their visit, that perhaps a meeting with them could be arranged, where additionally, new solutions to Michigan City's crime rates could also be explored.

- i. Motion to approve made by Mr. Yagelski and seconded by Mr. Cunningham.
- ii. All members voted in favor.

La Porte County Superior Court #4

Requesting Additional Appropriation from Riverboat (1191) or General (1000) for: Problem Solving Court position Salary

\$48,500

i. Motion to approve out of General (1000) made by Mr. Yagelski and seconded by Mr. Rosenbaum.

ii. All members voted in favor.

La Porte County Emergency Management

Requesting Additional Appropriation from Riverboat (1191) or ARP (8950/8951) for: Moving the siren from the Old Westville Police Department

\$11,685

- i. Motion to approve made by Mr. Cunningham and seconded by Mr. Yagelski.
- ii. All members voted in favor.

La Porte County Community Corrections

Requesting Additional Appropriation from Riverboat (1191) or ARP (8950/8951) for:

1. Teck84 Service Agreement

\$8,500

2. Security Automation System Exterior Cameras

\$10,566

- i. Motion to approve both items out of Riverboat (1191) made by Mr. Rosenbaum and seconded by Mr. Mollenhauer.
- ii. All members voted in favor.

Community Corrections Acting Director Mericka Beaty approached the Council to receive a motion of support for the creation of a \$20,000 overtime budget, as well as a \$40,455.35 comp time payout budget for the currently accumulated comp time of her employees. She explained that, as a result of being short-staffed in Community Corrections, employees were unable to utilize their accumulated comp time, but were also barred from receiving overtime, which was resulting in current employees leaving the County's employment. She added that the requested spending was currently available in Community Corrections' accounts, and she was simply seeking support before spending the funding that would be utilized. Mr. Novak noted that, following a motion of support, the items would need to be advertised for the following month if the requested funds were not both in one-hundred accounts.

i. Motion of support to transfer \$20,000 and \$40,455.35 for use of overtime and comp time payout, contingent on if they were present in one-hundred accounts, made by Mr. Cunningham.

Auditor Stabosz advised caution on allowing for overtime and comp time payouts, as many other departments were looking into these payouts as well, and the Council may receive an influx of similar requests if they allow one department to receive payouts. Mr. Rosenbaum added that Mrs. Beaty's situation was unique, as her department's short staffed circumstances and consequent pressure on current staff to work more hours without the ability to utilize their earned comp time made her situation an exception.

ii. All members voted in favor.

Mr. Novak asked Council Attorney Guy DiMartino to update the room on the potential status of a Commissary Fund for Community Corrections. Mr. DiMartino explained that, while Community Corrections could not independently have access to their own Commissary Fund, the fund could be

placed under the Sheriff's Department's Commissary Fund to serve as a sub-account. He added that the Sheriff's Department would not necessarily need to supervise the funding, and Community Corrections would still have access to use the funding. This way, he continued, the account would be compliant with state regulations.

La Porte County Parks Department

Requesting Additional Appropriation from General (1000) for: Pay for new full time maintenance position

\$10,000

- i. Motion to approve made by Mr. Cunningham and seconded by Mrs. Gramarossa.
- ii. All members voted in favor.

La Porte County Community & Economic Development

Requesting Additional Appropriation from ARP (8950/8951) for: Share Foundation for Sharing Meadows residential Community for other-abled adults

\$142,000

Executive Director of the Share Foundation Bill Harmon approached the Council regarding a request to bring internet availability to the residents of Sharing Meadows. Mr. Harmon explained that Sharing Meadows offered residency to adults with intellectual disabilities, in which two residents would share a house and be overlooked by one caretaker. He added that the rural nature of Sharing Meadows' location, though desirable, posed many challenges in receiving quality internet, which became especially apparent during the rise of Covid-19 and the novel quarantine policies that followed soon after, in which Sharing Meadows' clients felt especially isolated with a lack of an internet connection to reach out to their loved ones, seek entertainment, or receive community support. As a result, he continued, this affected the quality of life of Sharing Meadows' residents, which could in-turn prevent future residents from considering living at Sharing Meadows.

Mr. Yagelski voiced his concerns in utilizing the requested outside vendor, Acme Communications, for the project, as the County would not receive any incentives from the project in turn. Mr. Harmon explained that he had reached out to Comcast who only offered a six-year deal of \$6,500 per month, which as a non-profit, the Share Foundation could not afford. Mr. Yagelski recommended utilizing Mi-fi devices instead, and suggested reaching out to the State of Indiana for funding as well. Mr. Harmon added that the general cellular and current satellite internet were both extremely limited in the Sharing Meadows area, and he could not confirm how well a Mi-fi device would work with the area's poor signal, but he would consider looking into it.

Mrs. Gramarossa asked what the requested \$142,000 would yield for Share Foundation, to which Mr. Harmon explained that the funding would provide for internet availability to all the site's 15 residential homes, the foundation's onsite office, camp building, maintenance building, guest house, and future senior center. Mr. Harmon also explained that the \$142,000 development fee would be a one-time fee. Economic Development Director Tony Rodriguez added that the County's recent participation in expanding broadband into rural areas, as well with the approval of Share Foundation's request, had the potential to open opportunities for additional broadband project funding from various government bodies in the future.

IT Director Darlene Hale spoke via Zoom to inform the Council that the County paid \$28 per Mi-fi device per month, although Mi-fi rates for the public may come at a higher cost. Mrs. Gramarossa disclosed that her own personal Mi-fi device provided only spotty service in her area of living, which Mr. Novak also attested to.

William Richey of Acme Communications approached the Council, and when Mr. Novak asked what Acme Communications could do to invest back into the County as being a non-contracted vendor of the Broadband Task Force, Mr. Richey explained that Acme Communications would still be required to pay for the upkeep of the broadband, in addition to paying county taxes. Mr. Richey continued, stating that the County's franchise fees for Comcast only came from Comcast's television service, and not those who signed up solely for internet service, which did not carry a franchise fee. He added that Acme Communications, in similar fashion to Comcast, paid a franchise fee for television service, but not for internet. Mr. Richey explained that if clients only purchased internet services to enjoy streaming services and in turn did not purchase a television service, then the County would not be receiving a franchise fee. Mr. Yagelski stated that he had never seen franchise fees from Acme Communications, which Mr. Richey insisted that Acme Communications did in fact pay the franchise fee for television services as required by the County.

Mrs. Gramarossa asked Mr. Harmon to confirm that Comcast was requesting \$300,000 for the same service that Acme Communications was offering \$142,000 for, which he affirmed was true. Mr. Novak reiterated his concerns that Acme Communications' profits would not come back to benefit the County, and inquired if service would be expanded near the 1000 N area by the Toll Road. Mr. Richey explained that service for Acme Communications was already in the 1000 N and Galena area, and that Acme Communications had already invested \$1.3 million in expanding broadband into rural areas. Mrs. Gramarossa inquired if the roughly five homes near the Sharing Meadows area had been reached out to see if they would be interested in signing up with Acme Communications and help reduce the cost of the project's development, to which Mr. Richey noted that none of the homeowners had yet been reached out to.

i. Motion of support to move forward with \$142,000 out of ARP (8950/8951), with the request that Sharing Meadows and the Broadband Taskforce seek any additional funding possible in the upcoming years so that any available funding may be returned to the County, made by Mr. Rosenbaum and seconded by Mrs. Gramarossa.

Auditor Stabosz noted that upwards of \$18.4 million was slated to be available from the ARP's lost revenues, and clarified with Mr. Rosenbaum that the motion would not fail if the ARP's lost revenues were utilized instead to pay for the project's cost. Mr. Cunningham added that utilizing the lost revenue funding would be simpler than utilizing funding strictly from the ARP 8950 account. Mr. Rosenbaum stated that he would prefer to see the funding come out of the ARP 8950 account first.

ii. All members voted in favor.

La Porte County Auditor

Requesting Additional Appropriation from Riverboat (1191) or ARP (8950/8951) for: Legal Fees

\$10,000

i. Motion to approve made by Mrs. Gramarossa and seconded by Mr. Yagelski.

Mr. Yagelski noted that his motion to second was based primarily on the current litigation of the item. Mr. Novak clarified that the potential to table the item was a result of the Council waiting on the outcome of a potential motion to dismiss by the Auditor in the County Attorney's case against him in his personal capacity. Mr. Stabosz added that his attorney hired for the case had also not yet submitted any bills. There was also ambiguity regarding the discussion of two options for a discovery period which could alter the cost of the legal fees, with its outcome remaining to be seen.

Mr. Yagelski asked to place a condition on the motion, so as to base it off of the presiding Judge's ruling for dismissal. Mrs. Gramarossa added that Mr. Stabosz's legal fees to his attorney would still need to be paid, while Mr. Novak asked why \$10,000 would be appropriated for a hypothetical situation. Mr. Stabosz recommended that if the case was dismissed, that the Council pay the bill upwards of a certain amount.

Mr. Cunningham recommended giving a motion of support to pay the attorney's fees, and to table the item until the following month.

- ii. Mrs. Gramarossa withdrew her motion.
- iii. Motion to table until the following month, along with a motion of support with the intent that the Auditor's attorney be paid, made by Mr. Cunningham and seconded by Mr. Yagelski.
- iv. All members voted in favor.

La Porte County Health Department

Requesting to spend from non-reverting funds for a new ceiling, HVAC, and lighting in the La Porte
Office not-to-exceed \$190,000

- i. Motion to approve made by Mr. Rosenbaum and seconded by Mrs. Gramarossa.
- ii. All members voted in favor.

La Porte County Clerk

Requesting to transfer from Fund 1000.10136.000.0131 to:

1. Janitor	Service	Fund	1000.30	043	.000.6	0131
------------	---------	------	---------	-----	--------	------

\$1,290

2. Meals for Precinct Boards Fund 1000,30044,000,0131

\$4,476

3. Polling Places Fund 1000.30119.000.0131

\$,2,490

- i. Motion to approve made by Mr. Rosenbaum and seconded by Mrs. Gramarossa.
- ii. All members voted in favor.

La Porte County Animal Shelter

Requesting Additional Appropriation from Riverboat (1191) or ARP (8950/8951) for: Part Time Pay

\$20,000

- i. Motion to approve out of Riverboat (1191) made by Mr. Rosenbaum and seconded by Mr. Cunningham.
- ii. All members voted in favor.

La Porte County Sheriff

Requesting Additional Appropriation from Riverboat (1191) or ARP (8950/8951) for:

1. Gasoline \$70,000

2. Extraditions (Return of Fugitives) \$4,000

3. Jail Overtime \$20,000

4. Inmate Food \$123,000

- i. Motion to approve all items out of Riverboat (1191) made by Mr. Yagelski and seconded by Mr. Cunningham.
- ii. All members voted in favor.

Full Amount was previously advertised and broken down to 1/3 of original request

La Porte County EMS

Requesting Additional Appropriation from Riverboat (1191) or ARP (8950/8951) for:

- 1. Fuel \$6,667
- 2. Corporate \$28,333
- 3. Other Ops \$6,000
 - i. Motion to approve all items out of Riverboat (1191) made by Mr. Mollenhauer and seconded by Mrs. Gramarossa.
 - ii. All members voted in favor.

Full Amount was previously advertised and broken down to 1/3 of original request

Family Advocates

Requesting motion of support for:

Cover cost associated with Supervised Visitation

\$25,000

i. Motion to approve made by Mrs. Gramarossa and seconded by Mr. Rosenbaum.

ii. All members voted in favor.

Mr. Yagelski asked if Mrs. Gramarossa would be willing to change the terms of her motion, to which Mr. Cunningham explained that Family Advocates did not need all the funding allocated immediately, as Family Advocates got paid quarterly, and currently had enough money to function until the end of September. He instead recommended offering \$12,500 now and having Family Advocates return at the end of the next quarter to secure any additional funding. Mr. Yagelski also advised reaching out to the County's Judges to assist in paying for Family Advocates' recently increased visitations, as the increase was putting strain on Family Advocates' budget.

In turn, Mr. Rosenbaum recommended that since the motion was a motion of support, the item could be placed on the agenda for the next meeting at an allocation of \$12,500 and could allot for additional appropriation over the following few months. Mrs. Gramarossa stated that she would prefer to keep the \$25,000 allotment in a motion of support, with changes in the budget to occur at a later date during budget hearings.

Council Attorney Guy DiMartino noted that Family Advocates was only placed under Judge Stalbrink's court as they had not previously been assigned to any other court or department and was unsure if the Judges would assist with supplementing Family Advocates' budget, and it was ultimately the Council's money that had been funding Family Advocates visitations.

- i. Motion of support made by Mrs. Gramarossa and seconded by Mr. Rosenbaum.
- ii. All members voted in favor.

COUNCIL/ATTORNEY COMMENTS

There were no Council Member or Attorney Comments.

ADJOURNMENT

- i. Motion to adjourn made by Mr. Rosenbaum and seconded by Mr. Yagelski.
- ii. All members voted in favor.

Examined & Approved by The La Porte County Council this 22nd day of August, 2022.

Councilman Earl Cunningham

Councilman Terry Garner

Councilman Connie Gramarossa

Councilman Mike Mollenhaue

Councilman Randy Novak

Councilman Mike Rosenbaum

Timothy Stabosz, Auditor